

Exhibit 3

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Peter H. Kang, Magistrate Judge

IN RE: SOCIAL MEDIA)
ADOLESCENT ADDICTION/PERSONAL)
INJURY PRODUCTS LIABILITY)
LITIGATION,)
) NO. C 22-md-03047-YGR (PHK)
)
)
)

San Francisco, California
Thursday, January 25, 2024

APPEARANCES:

For Plaintiffs:

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Reported By: Ruth Levine Ekhaus, RMR, RDR, FCRR
Official Reporter, CSR No. 12219

1 Ms. Fox, what date is that?

2 THE CLERK: Four weeks from today? Court days or
3 regular days?

4 THE COURT: Calendar days.

5 MS. SIMONSEN: If I may briefly, Your Honor, I'm a
6 little unclear on how that's going to work for the plaintiffs,
7 because what they're representing is that their plaintiff fact
8 sheets are going to be essentially substitutes for their
9 initial disclosures. But plaintiff fact sheet data won't even
10 start to be produced at the absolute earliest in late March,
11 I believe, and that assumes that the plaintiffs are able to
12 access their accounts.

13 The plaintiffs' lawyers in the JCCP have represented that
14 the vast majority of their clients will need an additional step
15 to take place in the PFS process before they can even access
16 their accounts such that they can answer the plaintiff fact
17 sheets.

18 I would assume it might be similar for these plaintiffs,
19 and so I think, if it's going to be until probably later than
20 March that the plaintiffs are providing their initial
21 disclosures in the form of plaintiff fact sheets, it would seem
22 fair that the defendants should have the same amount of time to
23 provide their initial disclosures to the plaintiffs.

24 THE COURT: Okay. Do you need six weeks or more?

25 MR. WARREN: If I may briefly respond. Previn Warren

1 for the plaintiffs.

2 The plaintiffs' fact sheet process is working itself out
3 in the JCCP. It's going to be an extensive amount of
4 information. The PFS process has been heavily negotiated.

5 As I indicated, I think the initial disclosures we would
6 provide would essentially be a placeholder referencing that,
7 kind of a down payment on the PFSs that would get filed. It's
8 unfortunately just very different in kind to the information we
9 need from the defendants, which is simply: Who are the
10 witnesses; who are the employees; and what do they know?

11 That's information the defendants have been sitting on
12 since the outset of this litigation over a year ago. There
13 really isn't a need -- there isn't any other process that's
14 going to subsume that that justifies any kind of delay.

15 So we're happy to provide what's essentially a placeholder
16 initial disclosures in four weeks, and then the PFS process
17 will --

18 **THE COURT:** Let me stop you there. I mean, your
19 initial disclosures should be as complete as you can reasonably
20 make them at the time you're making them; right?

21 So to the extent your clients have information that
22 belongs in initial disclosure, I think you're obligated to put
23 it. You can't just have a blank placeholder. If you got --
24 you've got time to pull together at least some information.

25 **MR. WARREN:** Your Honor, it's simply not possible

PROCEEDINGS

1 given the number of individual plaintiffs and the counsel we'd
2 have to interface with. We do have a process that is literally
3 for the purpose of providing this information to the defendants
4 and having a new initial disclosure process insert itself into
5 that, I think, would be very disruptive to the efficiencies
6 that we've tried very hard to create around the sharing of this
7 information.

8 **THE COURT:** All right. So is counsel correct that you
9 probably won't get -- start actually issuing PFSS until late
10 March?

11 **MR. WARREN:** I believe something along that timeline
12 is correct, yes.

13 **THE COURT:** What about school districts?

14 **MR. WARREN:** There's a separate school district
15 plaintiff fact sheet process that's getting worked through
16 right now.

17 **THE COURT:** But in terms of just numerosity, there's
18 fewer school districts than there are individual plaintiffs,
19 aren't there?

20 **MR. WARREN:** No, Your Honor, actually that's not
21 correct; there's over 600.

22 **MS. SIMONSEN:** And, Your Honor, the plaintiff fact
23 sheet has not even been agreed to in the school district cases
24 in the JCCP. That is a whole other set of discovery that's
25 going to need to take place again before the close of fact